

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MIDAS FUND, INC., x
Plaintiff, :
: Index No. 07 CV 6707 (NRB)
-against- :
: RULE 7.1 DISCLOSURE
GAMMON GOLD, INC., FRED GEORGE, : STATEMENT
BRADLEY LANGILLE, RUSSELL :
BARWICK, COLIN SUTHERLAND, BMO :
NESBITT BURNS INC., SCOTIA :
CAPITAL INC., and TD SECURITIES INC., :
Defendants. :
: x

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possibly disqualification or recusal, the undersigned counsel for defendant Scotia Capital Inc. ("Scotia Capital") (a private non-governmental party), certifies that Scotia Capital is indirectly wholly owned by The Bank of Nova Scotia, a public company. No other publicly held corporation owns a 10% or more interest in Scotia Capital.

Dated: December 21, 2007
New York, New York

FULBRIGHT & JAWORSKI L.L.P.
Attorneys for Defendant Scotia Capital Inc.

By: /s/ Philip M. Smith
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